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R. MICHAEL SENKOWSKI
(202) 429-7249

June 20, 1995

FACSIMILE
(202) 429-7049

EX PARTE OR LATE FILED

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RECEIVED

JUN 20 1995

Re: PR Docket No. 93-144
PP Docket No. 93-253 ✓

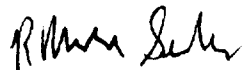
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Mr. Caton:

In accordance with Section 1.1206 (a) (2) of the Commission's Rules, 47 C.F.R. § 1.1206 (a) (2) (1991), this is to notify the Commission that on June 19, 1995, Mary Brooner, Joseph Vestal, and I, on behalf of Motorola, Inc., met with Rosalind Allen, David Furth, Sally Novak, Greg Rosston, and D'Wana Speight.

The purpose of these meetings was to review a discussion draft proposing a consensus plan for 800 MHz wide area SMRs. The subjects discussed are fully reflected in the Discussion Draft: 800 MHz Wide Area SMR Proposal for Consensus which was left with the FCC staff members at the meeting. Should you have any questions regarding this matter, please call me.

Respectfully submitted,



R. Michael Senkowski

RMS:daj
Enclosure

No. of Copies rec'd 0+1
List A B C D E

DISCUSSION DRAFT

800 MHz WIDE AREA SMR PROPOSAL FOR CONSENSUS

- **800 MHz Wide Area SMR Service and Auction Rules**

- **BEA Service Areas for Upper 200 Channels.**

Rationale: BEA service areas best match existing and future SMR deployment needs. A broad based industry consensus has been reached to support use of BEA's rather than Rand McNally MTA or BTA service areas.

- **Bidders would be permitted to bid on and hold licenses for all 200 channels in any given BEA.**

- **Licensing the Upper 200 SMR Channels in 120, 60 and 20 Channel Grouping.**

- > **A 120 channel group is needed to provide sufficient spectrum to support various wideband digital technologies.**
 - > **A 60 channel group is needed to provide sufficient spectrum to support various analog technologies.**
 - > **A 20 channel group will afford opportunities for smaller SMRs to participate.**

Rationale: The menu of different size spectrum groups will promote a variety of new services and afford entry opportunities for a diversity of future licensees. The three group sizes can support different types of technologies and accommodate different visions of the SMR service.

- **Partitioning and Aggregation:**

- > **Auction winners would be allowed to engage in geographic or spectrum channel partitioning.**
 - > **Auction winners would be allowed to aggregate channels or geographic areas.**

Rationale: Partitioning and aggregation help maximize efficient and effective use of spectrum by giving auction winners the ability to combine and subdivide based upon specific market needs or business plans. It helps insure that the party valuing the spectrum most will be the ultimate operator on that spectrum for any given service area.

— **Simultaneous Multi-Round Auctions:**

- > Auctions for all three sizes of channel groups and all BEAs would be conducted under simultaneous, multi-round auction procedures.
- > Procedures used for Broadband PCS would be employed with the exception that the winning bidder accounting for the highest total dollar amount of auction payments for BEA licenses would have the right to select the specific contiguous channels in each BEA for its use.
- > In such respects, the three channel blocks would not be allocated by the Commission, but rather left to post-auction selection by the winning bidders in descending order of total auction payments for all BEAs.
- > Selection of channels must be consistent with ensuring contiguous spectrum blocks of 120, 60 and 20 channels in each BEA.

Rationale: The combinatorial bidding approach outlined above will create an incentive to pay the most for frequencies and allow assemblage of common channels nationally and regionally by winning bidders, even if the winning bidder does not obtain the same size channel groups authorization in every market.

- All spectrum should be available to prospective bidders.
- Strict construction and coverage rules would apply to winning bidders.

• **Policies Governing the Retuning of Incumbent SMR Licensees**

- Auction winners could require an incumbent licensee to relocate within the upper 200 channels. However, no incumbent would be required to relocate outside the top 200 channels. No incumbent SMR licensee would be required to retune to frequencies outside the upper 200 channels.
- Incumbent SMRs within the upper 200 channels would have the choice to request retuning to lower channels if spectrum is available to accommodate them.
- Incumbent SMR licensees would be subject to involuntary retuning to other frequencies within the upper 200 channel groups if afforded full cost compensation and comparable alternative facilities.

- **General SMR Rules and Policies**

- Anti-warehousing and strict construction requirements would apply.
- The General Pool channels and the remaining 80 channels of the SMR Pool would be available for retuned incumbents and local SMR operations.
- The Public Safety, Industrial and Business Frequency Pools would continue to be licensed under existing policies.
- SMRs would not be eligible for grants of future licenses in the Public Safety, Industrial and Business Frequency Pools.
- Future local SMR licenses (outside of the 200 channels) would be issued via auctions over a BEA basis after licenses are granted to retuned incumbents in the lower channels.

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Federal Communications Commission
Washington, D.C. 20554

JUN 19 1995

Stop Code 1600A2
IC-95-16659
9502381

Mr. Cletus J. Notter
225 South Hackman
Staunton, Illinois 62088

RECEIVED

JUN 20 1995

Dear Mr. Notter:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Senator Paul Simon has asked the Commission to respond directly to you regarding the federally mandated \$3.50 subscriber line charge appearing on your telephone bill. Among other things, you believe that the subscriber line charge should be discontinued or given to the residents for owning and maintaining the telephones and lines in their homes.

The Commission also has responded in detail to other congressional inquiries on your behalf regarding this matter. For your convenience we are enclosing copies of these letters. You may also be interested to know that the Commission conducts comprehensive semi-annual monitoring of the subscriber line charge program in the context of an open docket (CC Docket No. 87-339). The docketed proceeding is set up so that materials, comments, and studies may be submitted at any time. Enclosed is a news release regarding the most recent report which is available to the public. We are forwarding a copy of your comments to be included in Docket No. 87-339.

Thank you for your inquiry.

Sincerely,

Robert W. Spangler

Robert W. Spangler
Deputy Chief (Policy)
Enforcement Division
Common Carrier Bureau

Enclosures

cc: Honorable Paul Simon

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95-08887
CL 4/10/95

95-04591 (CL) 4/6/95

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Congressional

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05/10/95

A003

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM

05/31/95

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9502381	05/31/95	05/15/95	06/20/95	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Paul Simon	BC

CONSTITUENT'S NAME	SUBJECT
Cletus Notter	inq/complaint re subscriber line charges

REF TO	REF TO	REF TO	REF TO
CCB	Info		

DATE	DATE	DATE	DATE
05/31/95	5/31/95		

REMARKS:

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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

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all

2381

May 15, 1995

95016000

Judith Harris
Director of Legislative and Governmental Affairs
Federal Communications Commission
1919 M Street, N.W. Room 808
Washington, D.C. 20554

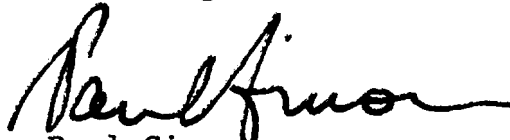
Dear Ms. Harris:

Enclosed please find a copy of a letter from my constituent,
Cletus Notter, outlining his concerns about federal line charges.

I would appreciate your looking into this matter and responding
to Mr. Notter. Thank you for your attention to this matter.
Please let me know if there is anything I can do to help resolve
this situation.

My best wishes.

Cordially,



Paul Simon
United States Senator

PS/dme
enclosure

225 South Hackman
Stanton Del 62088
618-635-3718
4/10/95

Senator Paul Simon
462 Dirksen
Washington DC. 20510

Sir

As per my telephone conversation with
Mr. Dan English of your office about (Federal
line Charge of \$3.50 Per Month) for House and
\$8.60 for Business should be (Eliminated).

The FCC has sent me information
that in the 1940's this was put on to get telephones
to rural areas and as a subsidy to cover cost
to maintain these telephone lines. This was a
very good idea, (but since then the telephone
companies has received many raises and are
making millions of dollars) and people on
fixed income and low wages are still
subsidizing telephone lines a \$3.50 Per Month for
these lines.

The telephone companies then discontinued
since 1940's giving us our (telephone Receives and
also installing and maintaining our line in our
Home) and Business.) they now charge
extra for this service.

Since we have to buy our Receives
(telephone) and have to (install our own lines
and maintain at our cost) in our homes,

Page 2.

Telephone
Senator Simon

that puts us in the telecommunications business for we receive no (Subsidy) for our line and/or Equipment.

Without our line or Receiver (Telephone Equipment) they are out of Business.

If the line Charge stands as is then it should also be given to us for our line. Therefore I am requesting the line Charge be (Discontinued) on the Paper Work, and any and all Information need to apply to FCC so I can collect line Charge for my part in the telecommunications system.

There is 3,155 telephone Trunks in our Phone Directory and I have 2,116 telephone users Signatures protesting there rate Increase as of May 9th 94.

I have much Information ~~that~~ have been in Contact with Delmar's Commerce Commission - Mr. Richard Dunkin - Carol Frosty Braun - Mr. Hensley - Mr. Demaris - FCC.

I Can Supply Copies of Bated list from 635-637 telephone listings. These Numbers Cover Livingston - Williamson and Stanton Mo.

I Thank you and Hope for a Speedy elimination to this Problem.

Cletus Fother
275 South Jackson
Stanton, Del. 1088

635-3718